

REMARKS

This Amendment and Response is responsive to the Office Action mailed September 21, 2004. In that Action: claims 10-22, 26-28, and 31-43 were pending; claims 26, 31-33, 35, 37-40, and 42 were rejected under 35 U.S.C. §102(b) as being anticipated by Ooi et al. (USPN 5,648,860); claims 10, 11, 13, 16, 17, 19, 20, and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable under Ooi in view of Wakita (USPN 5,422,747); claim 21 was rejected under §103(a) as being unpatentable under Ooi in view of Wakita as applied to claim 10, and further in view of Saito, et al. (USPN 4,784,791); claim 34 was rejected under §103(a) as being unpatentable under Ooi as applied to claim 32, and further in view of Saito; claims 12 and 41 were rejected under §103(a) as being unpatentable under Ooi in view of Aho et al. (USPN 4,874,228); claim 43 was objected to as depending from a canceled claim; claims 14, 18, 27, and 28 were objected to as being dependent on a rejected base claim, but noted as allowable if rewritten in independent form; and claims 15 and 36 were allowed.

Claims 14, 18, 27, and 28 have each been amended into independent form as they had been noted as allowable. Claims 10, 15, 26, 37, and 39 have been amended to even further distinguish over the prior art of record. Claim 42 has been amended to use language consistent with the amended claim from which it depends. Claim 43 has been amended to depend from a pending claim. Claim 32 has been amended from independent form to dependent form. Reconsideration of the rejections of the pending claims is hereby requested.

In examining the file, it is noted that there is still a Form-1449 from a Supplemental IDS filed by first class mail with an Amendment and Response on September 23, 2003 that has not been checked off and returned with a subsequent Office Action. In that filing, two sheets of 1449 forms were provided. The first sheet was checked off and returned with the March 19, 2004 Office Action. It is respectfully requested that the second sheet be checked off and returned as well.

Each of the claims rejected on prior art grounds appears to have been rejected based on Ooi alone or in combination with other references. Ooi appears to disclose projection type color liquid crystal optical apparatus. In Fig. 22 of Ooi, the apparatus has three display panels on to which light from a light source is directed and which reflect images that are combined at an optical element for projection.

The rejection of claim 38 appears to have been inadvertent. Claim 38 has very similar limitations to allowed claim 36 and significantly different limitations than rejected claims 37 and 39. Yet claim 38 was grouped in the Office Action with claims 37 and 39 when at the top of page 7 there is a recitation of limitations found in claims 37 and 39 that were determined by the Examiner to be disclosed in Ooi. Claim 38 is patentable for the same reasons as claim 36.

Amended claim 10 is believed to be distinguishable over Ooi and the remainder of the prior art due to the combination of the claimed elements with the requirement that the light source include one or more LEDs. Since Ooi is intended for projection applications that require high light intensities, it is believed that LEDs are not taught or suggested therein.

Amended claim 15 is believed to be distinguishable over Ooi and the remainder of the prior art due to the combination of the claimed elements with the requirement that the display system generates a color image via the single microdisplay. The teaching of Fig. 22 of Ooi includes a three-color, three display panel system to achieve a color image. This does not teach or suggest the invention of claim 15.

Amended claim 26 is believed to be distinguishable over Ooi and the remainder of the prior art due to the combination of the claimed elements with the requirement that the microdisplay has an image generating area that is no larger than 6 millimeters on a side. The teaching of Ooi is believed to relate to much larger display panels. It is not taught or suggested by Ooi to arrange the components of the display system in the claimed manner with such a small image generating area on the microdisplay.

Amended claim 37 is believed to be distinguishable over Ooi and the remainder of the prior art due to the combination of the claimed elements with the requirement that the display system includes at least one microdisplay and that the source of light is closer to all of the at least one microdisplays in the display system than to the reflector. Again, the Ooi reference teaches a three-panel system in which only one of the display panels is anywhere near the light source.

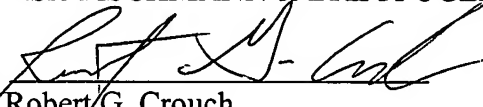
Amended claim 39 is believed to be distinguishable over Ooi and the remainder of the prior art due to the combination of the claimed elements with the requirement that the display system includes one or more microdisplays and that the source of light is closer to all of the one or more microdisplays in the display system than to the reflector. Again, the Ooi reference teaches a three-panel system in which only one of the display panels is anywhere near the light source.

Thus it can be appreciated that each of the rejected independent claims is distinguishable over the prior art and is patentable. Further, each of the dependent claims is patentable due to their dependence on the independent claims and the additional limitation found in the dependent claims.

Based on the foregoing comments, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecute and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

Robert G. Crouch

Registration No. 34,806

3151 South Vaughn Way, Suite 411

Aurora, Colorado 80014

(720) 562-5506

Date: December 21, 2004